

Managing Deer for Climate and Nature Consultation –
Riverwoods Recommendations

THEME 1: ENHANCING THE NATURAL ENVIRONMENT

Question	Answer
<p>Question 1: Do you agree that NatureScot should be able to intervene, through <u>DMNROs</u>, to ensure that action is taken to manage deer, where deer management has been identified as a key part of nature restoration?</p>	<p>Yes No Don't know</p>
<p>Question 2: Do you agree with our proposed criteria for a <u>DMNRO</u> that: They can only be ordered where there is social, economic or environmental benefits to be achieved through nature restoration, and additional deer management is a key factor or one of the key factors in securing that benefit?</p>	<p>Yes No Don't know I don't agree with <u>DMNROs</u></p>
<p>Question 3: If you answered no to the previous question, what criteria, if any, would you recommend?</p>	<p>Answer options: i.e. There should be no criteria/restrictions</p>
<p>Question 4: Do you agree that NatureScot should be able to require a person who is subject of a <u>DMNRO</u> to undertake a range of actions to achieve deer management objectives in these circumstances? Such actions could include:</p> <ul style="list-style-type: none"> • reductions in deer numbers, by setting a target density or a specified cull over a period of time • deer fencing, e.g. requiring fencing to be put in place by landholdings with high deer numbers to prevent those deer damaging restoration projects elsewhere within the <u>DMNRO</u> area • specified additional work to support deer management including habitat assessments, more detailed cull plans, and cull reporting. 	<p>Yes No Don't know</p>
<p>Question: Do you agree that if financial incentives for deer management are created, individuals subject to <u>DMNROs</u> should be automatically eligible for such support?</p>	<p>Yes No Don't know</p>

<p>Question 5: Do you agree that non-compliance with <u>DMNROs</u> should be treated in the same way as non-compliance with existing control schemes ie:</p> <ul style="list-style-type: none"> • It would be an offence • It would carry a maximum fine of £40,000 or 3 months imprisonment or both. 	<p>Yes No Don't know</p>
<p>Question 6: Do you agree that NatureScot should be able to recover costs from the landowner where they are required to intervene as a result of non-compliance with <u>DMNROs</u>?</p>	<p>Yes No Don't know</p>
<p>Question 7: If you do not support cost recovery, what alternative non-compliance measures, if any, would you recommend?</p>	

Free Text Box:

Given the impact of deer on restoring river woodlands in Scotland and the current impacts on natural regeneration, Riverwoods is broadly supportive of the proposals for new powers for NatureScot to implement Deer Management Nature Restoration Orders, especially with a focus on helping Scotland meet its biodiversity and climate targets, rather than identifying ongoing damage and preventing further damage.

We request more clarification on the process of identifying DMNRO areas where compliance measures will be implemented. We would recommend a tiered approach with basic compliance levels Scotland-wide with stricter regulation on priority areas, including riparian woodland areas, national parks, and Scotland’s rainforest. We request more information on the connection between the selection process for DMNRO areas and the six landscape scale restoration areas outline in the Strategic Framework for Biodiversity.

We note the reference to fencing as part of the range of actions that an individual might be required to undertake to achieve deer management objectives. In our view, public incentives should be set at a level which incentivises reduction in deer numbers over installation of fencing. Where it can be demonstrated that a landowner has neglected deer control, against the advice of NatureScot or the Deer Management Group, it may be more appropriate to directly contract private stalkers to undertake deer control, instead of providing public incentives to achieve this aim.

Given the urgent timescale, we are concerned about the current capacity of NatureScot to assess DMNRO areas and effectively regulate and monitor beyond recovering costs if culls are not being met. Beyond additional powers for NatureScot, we would like to see additional funding and capacity provided to NatureScot to be able to both take regulatory action and act in an advisory and supportive role to those seeking to manage deer sustainably, preferably through financial incentive mechanisms.

Given the need for long-term maintenance, we would also seek clarity on the process for determining the length of time a DMNRO would be in force and the process for reviewing, revoking, or amending the status of an existing DMNRO area or appointing a new one.

THEME 2: Compulsory Powers and Compliance

<p>Question 8: Do you agree with our proposals that would allow changes to the types of information which can be requested by NatureScot (under section 40 of the 1996 Act), to be made via secondary legislation?</p> <p>Requested information could include what species of deer have been shot by owners in localities in the past year or years, and what the planned or expected cull levels are for the following year or years in the localities.</p>	<p>Yes</p> <p>No</p> <p>Don't know</p>
<p>Question 9: Do you agree with our proposals that the period of time over which NatureScot can ask for information on planned future culls should be increased from 12 months up to a period of 5 years?</p>	<p>Yes</p> <p>No</p> <p>Don't know</p>
<p>Question 10: Do you agree with our proposals that NatureScot should be able to use emergency powers under Section 10 of the Deer (Scotland) Act 1996, which include the ability to enter land to undertake short term deer management actions for a period of up to 28 days, to tackle damage to the natural heritage?</p>	<p>Yes</p> <p>No</p> <p>Don't know</p>
<p>Question 11: Do you agree with our proposals that where NatureScot have intervened and carried out deer management actions as a result of these emergency powers, they should be able to recover reasonable costs?</p>	<p>Yes</p> <p>No</p> <p>Don't know</p>

Question 12: Please provide further comment

It is necessary that we have a comprehensive and precise understanding of deer populations throughout Scotland to effectively reduce their numbers to a level that facilitates ecological restoration. By accurately assessing species, population, and local impacts, management strategies can be more effectively directed to areas where they will yield the most significant ecological benefits.

Given the evidence from the Deer Working Group Report that there is a “gradually declining cull return response rate” and NatureScot, formerly SNH has “never instigated proceedings against an owner or occupier over the failure to submit a return”. We support Scottish Environment LINK’s call for the implementation of a Forestry Wildlife Management Dashboard

approach across the whole of Scotland and compulsory data returns for deer culls as well as a compulsory cull approval system as set out in recommendation 97 of the Deer Working Group Report.

According to the Deer Working Group Report, “50+% of Scotland’s land area sits outwith the DMG areas and not currently covered by cull returns”. To better understand the impacts of deer of restoration efforts and to get a clear Scotland-wide picture beyond DMRNO and Deer Management Group areas, deer population monitoring and / or deer impact surveys should be a requirement for recipients of government grants for woodland creation and improvement and peatland restoration, with recipients receiving appropriate and commensurate compensation.

There's a need for more detailed understanding regarding the integration of voluntary control orders with Deer Management Natural Resource Orders (DMNROs). In many instances, voluntary control orders have not succeeded in achieving sustainable deer populations in the areas where they have been applied, despite being in place for extended periods. We would advise that DMNROs, selected as priority areas whereby deer management is crucial in securing social, economic, or environmental benefits, should automatically fall under compulsory control schemes.

The Riverwoods Advocacy Group does not have a response to **Themes 3-6** at this time.

We recommend reviewing [Scottish Environment Link Deer Group Guide](#).

This document was developed by the Riverwoods Advocacy Working Group, made up of representatives from The Scottish Wildlife Trust, Fisheries Management Scotland, Tweed Forum, The Woodland Trust and Buglife. This document serves as a set of guiding recommendations but in no way is meant to represent the views of the Riverwoods initiative as a whole.